

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SUSAN A. YOUNG,

Plaintiff,

-against-

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY and CONTINENTAL
CASUALTY COMPANY,

Defendants.
-----X

Civ. Act. No.: 09-CV-9811 (RJH)

**NOTICE OF MOTION TO STRIKE
YOUNG'S IMPROPER EXTRA-
RECORD SUBMISSION**

DOCUMENT
ELECTRONICALLY FILED

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Michael H. Bernstein dated February 25, 2011 and the exhibits annexed thereto, the Memorandum of Law simultaneously filed herewith and upon all prior pleadings and hearings previously had herein, the defendants, Hartford Life And Accident Insurance Company and Continental Casualty Company, by their attorneys, Sedgwick, Detert, Moran & Arnold LLP, will move this Court at a date and time to be designated by the Court, before the Hon. Richard J. Howell, U.S.D.J. at the United States Courthouse, Southern District of New York, located at 500 Pearl Street, Courtroom 17B, New York, New York 10007, for an Order Rules 37(c) and 56(e) FED. R. CIV. P., striking plaintiff Susan A. Young's improper extra-record submission annexed as Exhibit "G" to the Affirmation of Scott M. Riemer dated February 10, 2011 (Doc. No. 34) and for any further relief this Court deems just and proper.

Dated: New York, New York
February 25, 2011

Respectfully submitted,
SEDGWICK, DETERT, MORAN & ARNOLD LLP
s/

MICHAEL H. BERNSTEIN (MB 0579)
JOHN T. SEYBERT (JS 5014)
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CERTIFICATE OF SERVICE

I, JOHN T. SEYBERT, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION** was served via ECF on this 25th day of February, 2011, upon the following:

Scott M. Riemer, Esq.
Riemer & Associates
60 East 42nd Street, Suite 1750
New York, NY 10165

Dated: New York, New York
February 25, 2011

s/_____
JOHN T. SEYBERT (JS 5014)